

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
Plaintiff

v.

CRIMINAL NO. 97-074-06(DRD)

RONALD BARRIOS GARCIA
Defendant

STIPULATION REGARDING MODIFICATION OF SENTENCE

TO THE HONORABLE COURT:

IT IS HEREBY STIPULATED and AGREED, by and between the parties acting through their undersigned counsel that:

1. Defendant has submitted a request for modification of his sentence pursuant to Title 18, United States Code, Section 3582(c)(2).

2. Defendant's original guideline calculation was as follows:

Total Offense Level 37

Criminal History Category III

262 to 327 months of imprisonment

At least 5 years of supervised release

\$20,000.00 - \$4,000,000.00 in fine.

3. Defendant was sentenced on May 12, 2006 to 292 months imprisonment.

4. Defendant is eligible for a modification of his sentence pursuant to 18, United States Code, Section 3582(c) and U.S.S.G. §1B.10(c), Amendment 706 of the United States Sentencing Commission Guidelines Manual.

5. Defendant's revised guideline calculations is as follows:

Total Offense Level 35

Criminal History Category III

210 to 262 months of imprisonment

At least 5 years minimum of supervised release

\$20,000.00 - \$4,000,000.00 in fine.

6. Based upon the foregoing, the parties hereby stipulate a sentence of 233 months incarceration is appropriate in this matter.

7. Defendant stipulates that he waives and does not request a hearing in this matter pursuant to Fed.R. Crim. P. 43, 18, United States Code, Section 3582(c)(2); United States v. Booker, 543 U.S. 220 (2005) and Kimbrough v. United States, 2007 WL 4292040 (U.S. 2007).

8. Accordingly, the parties agree and stipulate that an amended judgment may be entered by the Court in accordance with this stipulation pursuant to Title 18, Untied States Code, Section 3582(c) and U.S.S.G. §1B.10(c), Amendment 706 of the United States Sentencing Commission Guidelines.

Respectfully submitted in San Juan, Puerto Rico, this 4th day of April 2008.

JOSEPH LAWS
United States Federal Public Defender

s/Héctor Ramos
Assistant Federal Public Defender

ROSA EMILIA RODRIGUEZ VELEZ
United States Attorney

/s/ José A. Ruiz
Assistant United States Attorney
Chief, Criminal Division

/s Jeanette Mercado Ríos
Assistant United States Attorney
Chief, Narcotics Unit

/s/ Courtney L. Coker
Assistant United States Attorney